

**THE FAYETTE COUNTY PLANNING COMMISSION** held a **Public Meeting/Workshop** on March 20, 2008, at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Board of Commissioners Conference Room, Suite 100, Fayetteville, Georgia.

**MEMBERS PRESENT:** Douglas Powell, Chairman  
Al Gilbert, Vice-Chairman  
Bill Beckwith  
Jim Graw  
Tim Thoms

**MEMBERS ABSENT:** None

**STAFF PRESENT:** Pete Frisina, Director of Planning & Zoning  
Tom Williams, Assistant Director of Planning & Zoning  
Dennis Dutton, Zoning Administrator  
Robyn S. Wilson, P.C. Secretary/Zoning Coordinator

**STAFF ABSENT:** Delores Harrison, Zoning Technician

**Welcome and Call to Order:**

Chairman Powell called the Public Meeting/Workshop to order and introduced the Board Members and Staff.

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1. **Discussion of proposed amendments to the Fayette County Zoning Ordinance regarding Article VI. District Use Requirements, Section 6-2. EST, Estate Residential District, D. Dimensional Requirements, 3. Floor area: 3,000 square feet as presented by the Planning & Zoning Department.** *Instructed by BOC on 03/06/08 to begin review.*

Pete Frisina advised that Rod Wright of Peach State Land Development had requested the BOC to re-evaluate the square footage of a single-family dwelling in the EST zoning district. He confirmed that the minimum house size is 3,000 square feet; however, in his letter to the BOC, he requested a minimum of 2,000 square feet. He is the developer of Chantilly Subdivision, which is zoned EST. He added that he is the only developer in the county with an EST subdivision. He stated that there are only three (3) houses in the subdivision and each house is over 3,000 square feet; however, none are occupied. On March 6, 2008, the BOC instructed Staff to begin review.

Mr. Frisina explained that originally in 1998, the EST zoning district had a five (5) acre minimum lot size with a minimum house size of 4,000 square feet; however, no one filed a petition to rezone. He pointed out that the EST zoning district did not permit livestock. He reported that the EST zoning district was revised in 2005, to allow development of a conservation-like subdivision with a minimum lot size of 2.5 acres and reduced the minimum house size from 4,000 square feet to 3,000 square feet.

Mr. Wright confirmed that he had requested the BOC to decrease the minimum house size to allow construction of more affordable homes. He said that realistically, he would like to see the minimum house size decreased from 3,000 square feet to 2,200 square feet for a ranch and 2,500 square feet for a two-story house. He stated that approximately one-half of his lots are basement lots. He presented copies of house plans to the PC.

The P.C. advised Mr. Wright that they did not want to set a precedent for changing zoning criteria based on unfavorable economic conditions.

The P.C. reviewed the matrix of the Residential Zoning Districts which indicates the minimum

house size and lot size. Based on the Residential Zoning District Matrix and after a lengthy discussion, three (3) members concurred to decrease the minimum house size to 2,500 square feet due to the following: 1) to be consistent with current zoning district acreage and square footage, 2) the EST

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zoning district enhances the rural nature and preservation of greenspace within the county, and 3) it is desirable to ensure that this zoning district remains viable. One (1) member concurred with Mr. Wright to decrease the minimum house size from 3,000 square feet to 2,200 square feet for a ranch and 2,500 square feet for a two-story house; and one (1) did not want to decrease the current requirement.

Mr. Frisina stated that he was open to decreasing the minimum house size from 3,000 square feet to 2,300 square feet for a ranch and 2,500 square feet for a two-story house because of the profile of the house from the street. He advised that he would try to get on the next available BOC Workshop Agenda to seek direction and/or permission to advertise for public hearings in May. He confirmed that he would notify Mr. Wright of the date.

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2. **Discussion of proposed amendments to the Fayette County Zoning Ordinance regarding Article V. General Provisions, Section 5-9. Single family dwelling, B. Carport and Porte Cochere and Article III. Definitions, Carport and Porte Cochere as presented by the Planning & Zoning Department.** *Instructed by BOC on 03/06/08 to begin review.*

Dennis Dutton presented a power point of homes in various locations with attached porte cochere. He pointed out a photo of a home, currently under construction, with what appears to be a breezeway attached to a carport located directly in front of the home; however, the breezeway and carport were not indicated on the construction plans. On March 6, 2008, the BOC instructed Staff to begin review. He presented the following proposed amendments:

Staff's additions to the current ordinance are indicated in **bold**, underline, and *italics*. Strikethrough indicates deletion.

### **ARTICLE III DEFINITIONS**

**Carport, attached.** A roofed open-sided motor vehicle shelter formed by extension of a roof from ~~the side of~~ a building in a residential zoning district.

**Carport, detached.** *A roofed open-sided motor vehicle shelter in a residential zoning district.*

**Porte Cochere.** *An extension of the roof projecting over a driveway at the entrance of a building and sheltering those getting in or out of vehicles. Also called a carriage porch.*

The PC stated that the porte cochere should look like part of the house and not be able to be a stand alone structure. They added that the architectural standards, such as the roof line, are also important factors.

Mr. Dutton advised that he would continue to work on revisions to the ordinance as amendments will also need to be made to address how these structures will be regulated, such as, a porte cochere should not be utilized for permanent parking or storage. He added that he would present the proposed amendments at the next PC Workshop.

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3. **Discussion of proposed amendments to the Fayette County Comprehensive Plan regarding the S.R. 54 West Overlay District as presented by the Planning & Zoning Department.** *Instructed by BOC on 03/06/08 to begin review.*

Pete Frisina advised that the Comprehensive Plan was being revisited due to decisions which have been made recently on S.R. 54 West regarding subdivision lots being proposed for rezoning to O-I.

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He pointed out that there have been three (3) rezoning requested in the S.R. 54 West corridor which were located in platted residential subdivisions. He presented the following Memorandum from Tom Williams which was sent to the B.O.C. on February 20, 2008:

The following Memorandum was sent to the BOC on February 20, 2008, from Tom Williams:

Since the SR 54 West Overlay District was adopted in 1995, there have been three rezoning requests to O-I zoning for lots within recorded residential subdivisions. Of these three requests, one has been approved (Petition 963-97) and two have been denied (Petitions 994-98 and 1201-07).

Petition 963-97 was a rezoning request for R-20 to O-I on a lot in Burch's Deep Forest Subdivision located at the corner of SR 54 and Hickory Avenue (see attached map & minutes). The rezoning request was approved with conditions. The conditions are as follows:

1. That a six (6) foot high fence or wall to create a 100 percent visual screen be placed along the interior of the required 30 foot buffer along the southern boundary of the subject property. The fence or wall shall be limited to wood, brick, concrete or concrete block covered with an architectural treatment. This fence or wall would be in addition to buffer planting required in Section 5-23 of the Fayette County Zoning Ordinance.
2. That the subject property, consisting of two (2) ½ acre tracts be joined to fulfill the one (1) acre minimum of the O-I Zoning District. A Final Plat joining the two (2) ½ acre tracts must be submitted, approved and recorded prior to Site Plan approval and issuance of a zoning compliance for office uses.
3. That the curb cut onto Hickory Avenue be closed.

Petition 994-98 was a rezoning request for R-40 to O-I on a lot in Lakeview Estates Subdivision located at the corner of SR 54 and Lakeview Lane (see attached map & minutes). The lot fronts three roads, SR 54, Lakeview Lane and Old Mill Court. The rezoning request was denied. A subsequent court case upheld the denial.

Petition 1201-07 was a rezoning request for R-40 to O-I on a lot in Lakeview Estates Subdivision (see attached map & minutes). The lot fronts SR 54. The rezoning request was denied.

Staff is proposing an amendment to the SR 54 Overlay District section of the Land Use Element of the Fayette County Comprehensive Plan to clarify the County's position for rezoning requests within recorded residential subdivisions (see attached).

Essentially, Staff is seeking permission from the BOC to proceed with public hearings in April before the Planning Commission and Board of Commissioners for adoption of proposed amendments to the Fayette County Comprehensive Plan.

Mr. Frisina explained that one (1) rezoning to O-I had been approved in a platted residential subdivision and two (2) rezonings had been denied. He pointed out that one (1) of the rezonings, in a platted residential subdivision, which was denied did not have access to the internal subdivision street and only accessed S.R. 54 West. He advised that a policy to the Comprehensive Plan was being proposed to support the results of the rezonings.

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Mr. Frisina presented the following to the P.C.:

### **Transportation Corridors**

Over the next twenty years, a number of state routes in Fayette County are scheduled to be widened from a two-lane highway to four-lane divided highways. These state routes are the connecting corridors for the incorporated municipalities in Fayette County and neighboring counties. With few exceptions, in the unincorporated areas of the county these roads traverse residential and/or agricultural land uses.

With the widening of these state routes comes the increased pressure for nonresidential development. The County is now in the position where it must balance this demand with its own growth and transportation policies. These state routes are first and foremost transportation corridors; the efficient flow of traffic must be maintained. Nonresidential land uses are indicated on the Land Use Plan Map where their location and intensity is most appropriate for the surrounding area.

In order to better facilitate the desired development along its transportation corridors, Fayette County has adopted an Overlay District on SR 54 and several Overlay Zones. The particular requirements pertaining to these transportation corridors are discussed below.

The following are proposed amendments to the Fayette County Comprehensive Plan regarding the S.R. 54 West Overlay District:

**SR 54 West Overlay District:** With the widening of SR 54 West, the Board of Commissioners adopted the SR 54 West Overlay District. This District identifies the county's goals and recommendations for the corridor and sets out the desired development pattern. SR 54 connects the communities of Fayetteville and Peachtree City, and serves as the only major east-west thoroughfare through the county. The following section defines the District.

**Existing Development:** Existing **residential development** is scattered along the SR 54 West Corridor. Residential tracts range in size from large agricultural tracts of as much as 200 acres down to minimum one (1) acre subdivisions. Large tracts are still used for agricultural purposes and may or may not contain a single-family residence. These tracts vary in size from approximately five (5) to 200 acres. The majority of the larger tracts are located between Sandy Creek and Tyrone Roads. Single-family residential development consists of smaller lots, varying in size from one (1) to five (5) acres, fronting on SR 54 West or within subdivisions which access SR 54 West. Three single-family residential subdivisions (Newton Estates, Fayette Villa, and The Landings) are developed in this area. These subdivisions are zoned for one (1) acre

minimum lots. Fayette Villa and The Landings are located between Flat Creek Trail west to Sumner Road (north) on the north side of SR 54 West. Newton Estates is located west of Huiet Drive on the south side of SR 54 West. Existing **nonresidential development** consists of two commercial areas, one at Tyrone Road and one at Sumner Road (south).

**Future Development:** SR 54 West is first and foremost a transportation corridor. The efficient flow of traffic must be maintained. High intensity nonresidential uses should be targeted to the major intersection with Tyrone Road and SR 54 West. As one moves away from this node, the intensity of nonresidential development should decrease. The **goals** of the SR 54 West Overlay District are: (1) to maintain the efficient traffic flow of SR 54 West as the County's only major east-west thoroughfare; (2) to maintain a non-urban separation between Fayetteville and Peachtree City; and (3) to protect existing and future residential areas in the SR 54 West Corridor.

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If lots which front on SR 54 West are allowed to change from a residential use to a nonresidential use, care must be taken to protect existing or future residential property. This can be accomplished by requiring enhanced landscaping, buffers and berms to protect these residential areas.

**Recommendations:** The intent of the SR 54 West Overlay District is to offer existing tracts of five +/- acres the option to convert to office uses. Outside of the commercial designation at Tyrone Road and the commercial and office-institutional designation at Sumner Road (south), these parcels would be considered for the Office-Institutional Zoning District. Conditions should be placed on property at the time of rezoning to address unique situations.

**In certain situations a change from a residential zoning to the Office-Institutional Zoning District should not be given consideration due to the impact on abutting residential property in platted and recorded subdivisions. These situations include, but are not limited to the following:**

- **Parcels platted and recorded in a residential subdivision where the residential subdivision is oriented to and has access to SR54 from one or more internal streets as individuals purchased lots within these subdivisions with the assurance that it would remain a residential area;**
- **Any lot that is less than five (5) acres and is surrounded on side and rear lot lines by a platted and recorded residential subdivision or subdivisions. Parcels of at least five (5) acres could be considered in that additional setbacks and buffers could be required as a condition of zoning while leaving adequate area for development.**

**Other Transportation Corridors:** Section 7-6 Transportation Corridor Overlay Zone of the Fayette County Zoning Ordinance establishes Overlay Zones on state highways that traverse Fayette County. Regardless of the underlining zoning, any new nonresidential development along these corridors must meet the requirements of the particular Overlay Zone. The Zoning Ordinance establishes Overlay Zones on SR 54 West and SR 74 South, SR 85 North, and a General State Route Overlay Zone on all other state routes.

Mr. Frisina presented a map of the county indicating platted residential subdivisions and one (1) lot that is less than five (5) acres and is surrounded on side and rear lot lines by a platted and recorded residential subdivision or subdivisions.

After a lengthy discussion, the P.C. stated that in order to be consistent, all lots within a platted subdivision which borders on S.R. 54 West, regardless of access or orientation, should not be given consideration for O-I zoning. Additionally, lots fully surrounded on the sides and rear by platted subdivisions should be given consideration for O-I.

After further discussion and explanations, Staff and the P.C. compromised and agreed that all lots in a platted residential subdivision and lots surrounded fully on the sides and rear by platted residential subdivisions should not be given consideration for O-I in order to maintain consistency.

Mr. Frisina advised that he would try to get on the next available BOC Workshop Agenda to seek direction and/or permission to advertise for public hearings in May.

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4. **Discussion of proposed amendments to the Fayette County Comprehensive Plan regarding the S.R. 74 North Corridor Study as presented by the Planning & Zoning Department.** *Instructed by BOC on 08/01/07 to begin review.*

Pete Frisina reminded the P.C. that there was a meeting held with the property owners along the S.R. 74 North corridor in November, 2007. He presented a map with land use designations for discussion. He pointed out that along the west side of S.R. 74 North, colored in blue and indicated as W1 and W2 on the maps, in addition to property in the Town of Tyrone with the front portion being zoned O-I and the back portion being zoned M-1. He stated that the proposal was for light industrial or business park on areas W1 and W2. He said he had also been speaking with Matt Forshee of the Development Authority and the concept for the western side is a business type development of high tech firms with lots accessing internal streets. He stated that he was proposing a zoning district called Business Technology Park (BTP) and a new overlay for this area to include architectural standards, streetscape, and landscape standards. He pointed out that the BTP would permit such businesses as a business park with high tech firms, call centers, data centers, hardware/software services, and small light manufacturing/distribution entities with professional mixed in, and some support services since the area will be self-contained. He confirmed that high tech firms are companies which perform advance fabricating and assembly and supply high end components to other businesses. He said that he envisions the area developing as a whole with a required road which accesses S.R. 74 North and Kirkley Road due to the lack of a median cut. He remarked that the support services should be a limited amount of commercial, personal services, and office. He commented that the development should be a campus type character with internal streets, serving individual lots inside, consisting of a minimum of one (1) acre, with internal pedestrian access such as sidewalks or paths along the sides of the road. He said that the buildings could be single tenant or multi-tenant ranging from 25,000 to 50,000 square feet. He stated that part of the future discussions with Tyrone would be the availability of sewer. He added that the availability of sewer is very important and without sewer there will be little development due to the shallow soils and high rock. He advised that Staff is working with Tyrone to ensure joint planning. He reported that the proposal was sent to Tyrone but no comments have been returned.

Mr. Frisina presented two (2) maps of the east side of S.R. 74 North with the land use designation of O-I for discussion. He pointed out that the difference between the two (2) maps was that one (1) map indicates existing properties fronting on S.R. 74 North which have various sizes and irregular shapes and the other map is not lot specific. He stated that the assembly of the properties and development as a whole for an official park was favorable. He said that consideration should be given regarding the continuation of the frontage road from Fulton County. He advised that Staff is working with Tyrone to ensure joint planning and the adoption of the same regulations for both jurisdictions. He reported that these proposals were also sent to Tyrone, but no comments have been returned.

The following are items for review and future discussions regarding the S.R. 74 North corridor:

#### **SR 74 Land Use Plan Items for Discussion**

##### **W-1 & W-2 west side of SR 74 from County line south to Kirkley Road**

- Land Use for Light Industrial Park – Light industrial/distribution
- Portion of area is within the Town of Tyrone, which will require joint planning and a portion of the northern most tract is in Fairburn
- Require cross parcel access road from SR 74 to Kirkley Road
- What effect will this type development have on the traffic flow of SR 74?

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- Can septic serve this type of development?
- Need overlay zone particular to this area to dictate standards for light industrial park development in both jurisdictions
- Require adequate buffer along school property

##### **E-1 & E-2 east side of SR from County line south to south of Thompson Road**

- Consider Office Land Use
- Some parcels developed with single-family residences and some are vacant
- Should existing residences be allowed to convert to O-I similar to SR 54?
- Existing parcels have various sizes and irregular shapes providing no good stopping point for Office Land Use
- Assemblage of property would produce better development
- Should the development road from Milam Road in Fairburn be continued and utilized in Fayette County?
- Should Thompson Road be relocated?
- Area behind E-1 & E-2 stay residential – area could be assembled for new residential

subdivision in the future

**E-3 – one parcel – 81.4 acres**

- Keep Land Use Residential on whole parcel or front Office and back Residential?
- Would set new standard of combination residential/non-residential access as exists on SR 74 in the Town of Tyrone
- Should the development road from Milam Road in Fairburn be continued and utilized in Fayette County?

**E-4 – two parcels – 3.1 total acres**

- Residential or Office?

**E-5 – four parcels – 24.3 total acres**

- Residential or Office?

Mr. Frisina remarked that Staff would continue to review the corridor requirements while working closely with Tyrone and would be updating the P.C. at future Workshops.

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Chairman Powell asked if there was any further business. Hearing none, Bill Beckwith made a motion to adjourn the Public Meeting/Workshop. The motion unanimously passed 5-0. The Public Meeting/Workshop adjourned at 9:50 P.M.

**PLANNING COMMISSION**  
  
**OF**  
  
**FAYETTE COUNTY**

**ATTEST:**

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**DOUG POWELL**  
**CHAIRMAN**



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**ROBYN S. WILSON**  
**P.C. SECRETARY**